

November 29, 1979

*Set for hearing*

Division of Oil, Gas, and Mining  
1588 W. N. Temple  
Salt Lake City, Utah 84116



Re: Formal Protest  
Order to Show Cause  
No. ACT-021-004

By reasons listed below, the undersigned by virtue of this letter do hereby take exception to the tentative decision rendered by the Division of Oil, Gas, and Mining and register our protest to action proposed by Ranchers Exploration and Development Corporation.

It is our firm conviction that the process of dewatering the area surrounding the mine is extremely detrimental to the underground water table and is therefore a direct threat to our livelihood as farmers. The continued existence of farming operations that have been productive here for 20 and 30 years is directly contingent on the continued supply of our underground water.

Past history can verify the detriment caused to the surrounding irrigation wells when the mine dewatering program was attempted previously. The extensive engineering study recently completed by Ranchers Exploration does in fact acknowledge that certain areas of productive agricultural land will suffer a significant reduction of 10-20 feet in the underground water table directly caused by the proposed dislocation of our water by the mine.

The efforts shown by Ranchers to relocate our water in a natural channel is considered an appeasement attempt and does not confront the basic fact that they are disturbing a substantial portion of a fragile undetermined supply of underground water.

The relocation process will be very wasteful of this precious commodity by the fact that it will simply be dumped on the surface with the expectation of recharge to the underground supply in another area.

Ranchers also stress in their public relations campaign that the water will be available to the area farmers without the cost of pumping to the surface. This is a misconception provided by Ranchers which may appear to benefit a few farmers. The fact is that every farmer here presently have developed irrigation systems at significant investment and it is neither practical nor feasible to completely readjust existing systems to utilize the water proposed to be wasted by Ranchers Exploration and Development.

Farmers here have to secure expensive water rights to be able to utilize their remaining underground water. Because of the declining table, we have been forced to conserve water and to develop more efficient methods of irrigation in order to survive.

The disruption, dewatering, and relocation of our underground water by Ranchers Exploration and Development as proposed will not be tolerated. Our protest to this fact is hereby registered.

Randall Farms

Willard Randall

Hillary Humphris

Lavon Randall

Roger Randall

Weston Randall

Theron Randall

Staheli Farms

Steve Staheli

Alma A. Holt

Nancy Randall

Grant Staheli

Lyle Jones

Jack Moyle

Kerry Holt

Lynnae Huntman

Charles Curtwell

Nellie W. Moyle

Jack M. Randall

B. Lee Bracken

Harold Bracken

Bracken Farms, Inc.

Harry R. Lane  
Melvin H. Gardner  
Bryce James Streetman  
Leo J. Gardner  
Ferrol S. Lark  
Malvin J. Gardner  
Garley J. Barker  
Stephen Barker  
Shelby Barker  
Norman F. Hulst  
Russell Christensen  
Byrd Christensen  
Darius Hulst  
Thurston Jensen  
J. W. George & Sons  
Eugene Pedersen  
Hilroy Pedersen  
Robert Holt  
Wassman D. Lark

Jay Hunt  
Larry E. Farnsworth  
L. Blaine Farnsworth  
L. W. Adams  
Clifton Adams  
Larry D. Banks  
George Gardner  
Willard Becking  
Delmar F. Jones  
Pentec J. Terry  
Clinton Bowler

BEFORE THE BOARD  
OF OIL, GAS, AND MINING  
DEPARTMENT OF  
NATURAL RESOURCES  
in and for the STATE OF  
UTAH

ORDER TO SHOW CAUSE  
NO. ACT-021-004

IN THE MATTER OF  
THE APPROVAL OF THE  
NOTICE OF INTENT AND  
RECLAMATION PLAN  
SUBMITTED BY RAN-  
CHERS EXPLORATION  
AND DEVELOPMENT  
CORPORATION IRON  
COUNTY, UTAH

THE STATE OF UTAH TO  
ALL OPERATORS,  
TAKERS OF PRODUCTION,  
MINERAL AND  
ROYALTY OWNERS, AND  
PARTICULARLY ALL  
INTERESTED IN  
TOWNSHIP 36 SOUTH,  
RANGE 17 WEST, SLBM,  
IRON COUNTY, UTAH.

Notice is hereby given that  
tentative approval was  
given by the Utah Division of  
Oil, Gas, and Mining, on  
September 27, 1979, to  
Ranchers Exploration and  
Development Corporation,  
1776 Montano Rd., N.W., Box  
6217, Albuquerque, New Mexico  
87107, to commence  
pilot underground mining  
operations for Silver ore in  
portions of Section 2,  
Township 36 South, Range 17  
West, Iron County, Utah.  
The name of the mine is the  
Escalante Silver Mine, and  
the person representing the  
company in this matter is  
Mr. Mark Welch, Chief  
Engineer, Ranchers Ex-  
ploration and Development  
Corporation, 1776 Montano  
Rd., N.W., Box 6217,  
Albuquerque, New Mexico  
87107.

Ranchers Exploration and  
Development Corporation  
has fulfilled obligations  
under the Utah Mined Land  
Reclamation Act of 1975  
(Section 40-8, U.C.A., 1953,  
as amended), and will  
employ the following  
reclamation techniques on  
approximately 12 acres of  
leased claims.

During operations:

1. Access will be via  
existing roads to the mine  
area. Several short access  
roads in the mine area will  
be constructed.

2. Mining will be con-  
ducted in a safe, orderly,  
and workman like manner.

3. Dewatering of the mine  
workings will be done using  
Five vertical turbine pumps.  
The mine water will be  
pumped via pipeline to a  
natural recharge point for  
Shoal Creek at a rate of  
approximately 11,000  
gallons-min.

4. Several additional  
buildings will be constructed  
or sited.

After operations:

1. The operator has  
committed to comply with  
all applicable reclamation  
standards adopted under the  
Utah Mined Land  
Reclamation Act.

2. Buildings, trash and  
debris will be removed and  
the protals will be sealed.

3. The disturbed surfaces  
will be harrowed, broad-  
cast seeded with a diverse  
seed mixture, and reseeded  
if necessary.

Reclamation performance  
surety will be established  
upon final approval of the  
mining and reclamation

plan.

Any person or agency  
aggrieved by this tentative  
decision is hereby requested  
to submit written protest  
within 30 days of November  
1, 1979, to the Division of Oil,  
Gas, and Mining, 1588 West  
North Temple, Salt Lake  
City, Utah 84116, setting  
forth factual reasons for his  
complaint, and thereafter at  
a time and place heretobe  
established, appear before  
the Board of Oil, Gas, and  
Mining to show cause, if any  
there be, why this plan  
should not be approved.

DATED this 25th day of  
October, 1979.

STATE OF UTAH  
BOARD OF OIL, GAS,  
AND MINING

FOR Sandy Perez  
for Thalia R. Busby  
Secretary to the Board  
Pub. Nov. 1, 1979.

AN ORDINANCE  
ADOPTING BY  
REFERENCE, THE  
UNIFORM BUILDING  
CODE, 1979 EDITION

BE IT HEREBY OR-  
DAINED BY THE BOARD  
OF IRON COUNTY COM-  
MISSIONERS, AS  
FOLLOWS:

Section 1. That the  
Uniform Building Code, 1979  
Edition, is hereby adopted  
by reference, as the Building  
Code for Iron County, State  
of Utah, with application for  
all structures in the unin-  
corporated areas of Iron  
County.

Section 2. That three  
copies of the said Uniform  
Building Code, 1979 Edition,  
should be kept on file in the  
office of the Iron County  
Clerk, at the County Cour-  
thouse, Parowan, Utah, for  
examination by the public.

Section 3. That the ef-  
fective date of this Or-  
dinance shall be January 1,  
1980.

Section 4. That the cost for  
building permits in Iron  
County shall be determined  
by the formula set forth for  
building permits within the  
said Uniform Building Code,  
1979 Edition.

PASSED by the Iron  
County Commission, at  
Parowan, Utah, this 10th day  
of October 1979.

H. Grant Seaman

Dee G. Cowan  
James L. Clark  
ATTEST:  
Clair Hulet, Clerk  
Pub. Nov. 1, 1979.

NOTICE OF  
HEARING

Notice is hereby given that  
a Public Hearing will be held  
at 10:00 a.m. Wednesday,  
November 14, 1979 in  
Commission Chambers at  
the Courthouse Parowan,  
Utah on a proposal to ap-  
propriate for expenditure  
supplemental Class B. Road  
Funds received, not an-  
ticipated and not available  
for inclusion in the regular  
Class B. Fund Budget ap-  
propriation for 1979.

Persons interested should  
appear at the designated  
time and place.

BOARD OF IRON  
COUNTY COM-  
MISSIONERS

Clair Hulet, Clerk  
Pub. C. 25 N. 1, 1979.

NOTICE TO  
WATER USERS

The following applications  
have been filed with the  
State Engineer to change  
water in Iron County  
throughout the entire year  
unless otherwise designated.  
Locations in SLB&M:

a-10682 (73-2287) Robert L.  
and LaRue Gardner, 477  
Ridge Road, Cedar City, UT  
proposes to change the point  
of diversion and place of use  
of 47.0 ac. ft. out of a total of  
75.0 ac. ft. of water as  
evidenced by portion of  
Underground Water Claim  
8178. The water has been  
diverted from an existing  
well, at a point N. 1235 ft. W.  
1300 ft. from SE Cor. Sec. 13,  
T35S, R11W; and used from  
Mar. 15 to Oct. 31 for the  
supplemental irrigation of  
18.75 acs. in W $\frac{1}{2}$  Sec. 7,  
NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 18, both  
T35S, R10W; NE $\frac{1}{4}$  Sec. 12,  
NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$  Sec. 13,  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec.  
14, all T35S, R11W.

Hereafter, 47.0 ac. ft. of  
water is to be diverted from  
a 12-inch well, 200-400 ft.  
deep, at a point N. 20 ft. W. 15  
ft. from S $\frac{1}{4}$  Cor. Sec. 22,  
T35S, R11W (3 mi N. of  
Cedar City); and used from  
Mar. 15 to Oct. 31 for the  
supplemental irrigation of  
46.235 acs., but limited to the  
sole supply of 11.75 acs. in  
SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 22,  
NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 27, both  
T35S, R11W.

a-10930 (73-2404) Ronny  
Ruesch and April Ruesch,  
979 W. 400 N., Cedar City, UT  
proposes to change the point  
of diversion, place, and  
nature of use of 1.0 ac. ft. out  
of a total of 661.34 ac. ft. of  
water as evidenced by  
deeded portion of Appl. 36656  
(73-1503). The water has  
been diverted from a 16-inch  
well, 460 ft. deep, at a point  
N. 670 ft. W. 30 ft. from SE  
Cor. Sec. 30, T34S, R10W;  
and used for the domestic  
purposes of two families,  
stockwatering 500 cattle,  
1000 sheep, 10 horses; and  
from Mar. 15 to Oct. 31 for  
the supplemental irrigation  
of 305.7 acs., but limited to  
the sole supply of 160.0 acs.  
in SE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  Sec. 31,  
all T34S, R10W.

Hereafter, 1.0 ac. ft. of  
water is to be diverted from  
a 6-inch well, 200-400 ft. deep,  
at a point N. 1400 ft. E. 864 ft.  
from S $\frac{1}{4}$  Cor. Sec. 7, T35S,  
R11W (8 mi NW of Cedar  
City); and used for the  
domestic purposes of 1  
family; and from Mar. 15 to  
Oct. 31 for the irrigation of  
0.0675 acs. in NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec.  
7, T35S, R11W.

a-10938 (71-3506) Andrew  
B. Pace and Verda F. Pace,  
Box 3, Pine Valley, UT  
proposes to change the point  
of diversion and place of use  
of 40.0 ac. ft. out of a total of  
79.81 ac. ft. of water as  
evidenced by deeded portion  
of Underground Water  
Claim 10296 (71-111). The  
water has been diverted  
from a 12-inch well, 110 ft.  
deep, at a point N. 1280 ft. E.  
1030 ft. from S $\frac{1}{4}$  Cor. Sec. 25,  
T35S, R17W; and used for  
the supplemental domestic  
purposes of 1 family, sup-  
plemental stockwatering of 5  
cattle, 10 sheep, 100  
chickens; and from Mar. 15

100 ft. from S $\frac{1}{4}$  Cor. Sec. 12,  
T3S, R14W (S. of Iron Mt.);  
used for the domestic  
purposes of 1 family; and  
from Mar. 15 to Nov. 1 for  
the irrigation of 9.8175 acs. in  
W $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  Sec. 12,  
T37S, R14W.

Protests resisting the  
granting of this application  
with reasons therefore must  
be filed in duplicate with the  
State Engineer, 231 E. 400 S.,  
SLC, UT 84111, on or before  
Dec. 15, 1979.

Dee C. Hansen  
State Engineer  
Pub. N. 1,8,15, 1979.

SUMMONS

PATRICIA COWEN  
HENRY, Plaintiff, vs.  
VIRGIL HENRY, Defen-  
dant.

The State of Utah to the  
above-named defendant:  
VIRGIL HENRY.

You are hereby sum-  
moned and required to file  
an answer in writing to the  
attached complaint with the  
Clerk of the above entitled  
Court, and to serve upon, or  
mail to Robert T. Braith-  
waite, Plaintiff's attorney,  
110 N. Main St. Suite H.,  
Cedar City, Utah, a copy of  
said answer, within 30 days  
after service of this sum-  
mons upon you.

If you fail so to do,  
judgment by default will be  
taken against you for the  
relief demanded in said  
complaint, which has been  
filed with the Clerk of said  
Court and a copy of which is  
hereto annexed and  
herewith served upon you.

This is an action for a  
divorce.

Dated this 4th day of  
October, 1979.

R. T. Braithwaite,  
Attorney for Plaintiff  
ROBERT T. BRAITH-  
WAITE  
PARK AND BRAITH-  
WAITE

Prudential Plaza, Suite H  
110 North Main Street  
Cedar City, Utah 84720  
Telephone (801) 586-6532  
Pub. O. 11,18,25, N. 1, 1979.

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